



American Mobile

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March 25, 1999

VIA HAND DELIVERY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
TW-B204
Washington, D.C. 20554

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MAR 25 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: *Ex Parte* Presentation
File Nos. 47-SAT-WAIV-97; 548-SSA-97(50); 1281-DSE-P/L-96
(Call Sign E960327); ITC-95-341; IB Docket No. 96-111, CC Docket
No. 93-23, RM-7931; CC Docket No. 87-75; IB Docket No. 95-41; 730-
DSE-P/L-98; 647-DSE-P/L-98; 1217-SSA-98

Dear Ms. Salas:

The attached draft testimony was submitted to the FCC on March 15, 1999. Because the testimony contains a reference to a policy at issue in the processing of the above-referenced contested applications, and was reviewed by Commission staff who are involved in processing the applications, we are submitting the draft testimony as an ex parte filing in the record of those application proceedings. The text at issue involves the answers to Questions No. 10 & 12, asking the witness to identify any rules or policies the modification of which would impact AMSC's service to reservations. The draft answers referred to the importance of the Commission maintaining policies that help AMSC access sufficient spectrum.

Two copies of this notice for each of the above-captioned proceedings are being submitted to the Secretary of the FCC in accordance with the Commission's Rules. Please direct any questions regarding this matter to the undersigned.

Very truly yours,

Lon C. Levin

cc: Linda Haller

ATTACHMENT

These suggested questions are designed to guide you in preparing your written statement and hearing testimony. We ask that you draw upon your experience and best knowledge to provide this information. To the extent you believe that any of these questions calls for proprietary information, please answer them to the greatest level of specificity possible.

1. How many tribal reservations does your company serve? How many subscribers does your company have on each reservation? What percentage of the households within each of these reservations does your company serve? Would a resident of each reservation your company serves be able to sign up for satellite service today and use that service from his or her residence? If not, please tell us why not, and the areas in which this is not possible.

American Mobile's service area covers all tribal reservations of the United States. To date the Navajo Nation has purchased approximately 15 satellite phones for use by the police for the provision of ubiquitous mobile communications throughout the Navajo Nation.

American Mobile's satellite telephone communications service has not been purchased for residential use. There are no restrictions that would prohibit a resident from any reservation from purchasing and utilizing satellite service today.

2. Does your company market services to residents and businesses on Indian reservations, and if so, what marketing methods do you employ? How, if at all, do those marketing methods differ from those your company employs to market services to other potential customers?

American Mobile employs a direct sales force to market satellite service. Some individuals in the sales force are responsible for marketing to Indian reservations.

American Mobile does not market to the Indian reservations in any manner that is different than it does to commercial business and agencies of the Federal Government.

3. Does your company impose installation fees, start-up fees, minimum subscription terms, or other requirements on new satellite customers that live on reservations? If so, please describe those fees, terms, and requirements. How, if at all, do these fees, terms, and requirements differ from those applied to other new satellite customers?

American Mobile is a common carrier that charges rates on a non-discriminatory basis. At this time, we do not distinguish between customers that live on reservations and those that do not. Flexibility exists in our pricing that can accommodate the needs of the Indian reservations.

4. What average monthly rate does your company charge reservation residents for satellite service? How many minutes per month does that rate cover? How much does each additional minute cost? How, if at all, do these rates differ from those charged non-Indian customers?

American Mobile has not established a separate pricing methodology for potential customers that may live on reservations. A copy of American Mobile's standard pricing has been attached for your review.

5. Does your company employ rate zones? If so, please identify, for each reservation you serve, each relevant zone.

American Mobile does not employ rate zones.

6. Does your company incur any charges or receive any revenue if a satellite customer makes or receives a non-toll call on a reservation? If so, please describe the revenue or charges in detail.

No, American Mobile's standard per minute pricing includes long distance call termination anywhere within the United States. Satellite charges are incurred, on a per minute basis, for satellite telephone usage regardless of call origination.

7. Does your company incur any charges or receive any revenue if a satellite customer makes or receives a toll call on a reservation? If so, please describe the revenue or charges in detail.

No, American Mobile's standard per minute pricing includes long distance call termination anywhere within the United States. Satellite charges are incurred, on a per minute basis, for satellite telephone usage regardless of call origination.

8. Would the ability to receive universal service support enable satellite carriers to offer a lower-cost alternative to wireline service on Indian reservations in Arizona? If your company were eligible to receive such support, would it be willing and able to serve unserved and underserved areas on Indian reservations at prices affordable to reservation residents? If your answer depends on how much support is available, please describe how the FCC might determine the support necessary for your company to provide affordable service. Assuming that your company's costs for serving a reservation are less than those of a nearby wireline carrier, would you be willing to engage in competitive bidding - i.e., offer to provide service at a lower cost per customer for the right to receive support to serve the reservation?

American Mobile has the means to provide satellite communication to the Indian reservations today. USF funds could reduce the cost of serving the reservations.

9. Do you anticipate that technological breakthroughs will soon give you a competitive advantage over wireline service on reservations where wireline is currently the low-cost technology? If so, please describe those developments in detail.

American Mobile is not currently aware of the rates and the inherent cost to deliver wireline service to the Indian reservations. The absence of wireline infrastructure and construction costs and barriers to provision (rights of way, etc.) such service are not impediments to American Mobile's satellite solution.

10. Please identify any FCC rules or policies whose modification or elimination would permit you to provide service to Indian reservations more efficiently and effectively. What technologies would such changes permit you to deploy? Please be specific.

American Mobile can best serve reservations at reasonable rates if the FCC maintains its policy to assure that American Mobile has access to the full 10 MHz of its licensed spectrum.

11. Would you find it more or less attractive to serve Indian reservations if they were covered by separate service area licenses? Do you think separate licenses would provide an incentive to a service provider to improve service to Indian reservations?

American Mobile is distance insensitive in that American Mobile's service area covers all tribal reservations of the United States.

12. What incentives would increase the opportunity for carriers to joint venture with Indian groups to serve a reservation? Would an FCC decision to increase band width and relax interference restrictions on reservations increase your company's incentives to provide basic telephone service to reservation residents?

This does not apply to American Mobile. We have sufficient capacity to serve reservations as long as the FCC maintains policies that assure American Mobile access to its 10 MHz of licensed spectrum.

13. Please identify any state rules or policies whose modification or elimination would permit you to provide service to Indian reservations more efficiently and effectively. Please be specific.

The FCC has preempted state regulation of satellite services. Accordingly, American Mobile believes that there are no states regulations or policies that affect our ability to service reservations.

14. Please identify any tribal rules or policies whose modification or elimination would permit you to provide service to Indian reservations more efficiently and effectively. Please be specific.

American Mobile believes that there are no tribal rules or policies that would restrict our ability to provision satellite communications within the Indian reservations. The very nature of satellite communications as a standalone solution to serve rural and remote locations seems ideal to meet the growing needs for extending communications services within the Indian reservations.

15. Please describe your company's relationship with the tribal government on each reservation that you serve. What kinds of issues, if any, does your company negotiate with those governments? Have any of the negotiations delayed or prevented the provision of service to Indians? If so, do you have any proposal for how to resolve such difficulties? What, if anything, can tribal governments do to encourage your company to improve service to Indians on reservations?

American Mobile has sold transportable satellite telephones with dispatch service capabilities to the police of the Navajo Nation. These satellite telephones were purchased from American Mobile's GSA schedule reseller and were employed to maintain communications between police officers throughout the remote and unserved areas of the Navajo Nation.

16. Do you make special efforts to hire and train Indians from reservations? If not, would you be willing to do so if a tribal government requested such efforts?

American Mobile has not to date hired from the Indian reservations. American Mobile would be willing to do so if a tribal government requested such efforts.

17. Have you offered tribal groups partial ownership of the firms servicing their reservations?
If not, would you be willing to do so if tribal groups asked?

American Mobile does not own or employ firms servicing the Indian reservations.

18. Are you being deterred from entering any unserved market because of a lack of roads, electricity, or other similar element of basic infrastructure?

No. Satellite services can provide quality service throughout an entire reservation regardless of the lack of roads, electricity, or other infrastructure.

19. Are you aware of any existing tribal, state, or private facilities or equipment which can be used to develop or supplement telecommunications services to reservations?

Satellites are uniquely able to serve entire reservations without additional facilities.

20. Has your carrier had any difficulty in serving reservations due to issues over obtaining rights of way? If so, please explain the nature of the difficulty and its impact.

American Mobile is unaffected by "rights of way" issues because it is a satellite system.
